

1894-659 Chancery Causes: Dinah Miles by te vs France Miles  
Lee Co.

Haynes, Bell, Williams, Parsons, Pendleton, Graham, Sprinkle,  
Fleenor

CA-Divorce

T-Vices

Property  
Migration



To the Honorable H.S.K. Morison, Judge of the Circuit Court  
of Lee County Virginia:

Humbly complaining, your Oratrix, Dinah Miles, who sues by H.M. Miles her son and next friend, would respectfully show to your Honor: that heretofore, to wit on the 27<sup>th</sup> day of Aug. 1887 she was united in marriage, in the County of Lee and State of Virginia, to one France Miles, that from thence down to the present she and her said husband have resided and they still continue to reside in said County: that she has always been to her said husband a faithful loving and dutiful wife striving in every way to make for him and herself and their several children a happy and prosperous home, and she will here show your Honor that there is issue of the marriage between herself and the said France Miles, six children, all of whom are above the age of 21 years except two, one of whom is 17 years old and the other is 14 years old.

Your Oratrix will now further show your Honor that her said husband has repaid her wifely devotion, her kindness and affection by the most flagrant violation and utter disregard of his marital vows, by harsh and unkind treatment, making her life one of continual misery, and at times putting her in fear of her person and almost of her life.

Your Oratrix will now show your Honor that for the last <sup>three</sup> year or more her said husband has been living in almost open, certainly in notorious adultery with another woman who lives in less than one mile of the town of Jonesville, that during the last <sup>three</sup> years, he has spent more than three fourths of his nights with his said concubine, with all of which your Oratrix has patiently borne, until forbearance has ceased to be a virtue and longer indurance would almost amount to a sin.

Your Oratrix will now further show your Honor that her said husband has not only been guilty of the <sup>open</sup> and continued acts of adultery, but he has become very dissipated, and lately has been drunk a great deal of the time, and when drunk he is very quarrelsome, fussy and abusive, he <sup>has</sup> driven his oldest minor son from home, has attempted to drive his adult daughter from home, and has ordered your Oratrix from home, threatened if she does not go that he will throw her out of the house, in fact he <sup>and declared that unless she leaves home he will kill her</sup> has threatened her person with injury, and she is absolutely afraid of her life. Her said husband is now threatening to sell all his property and leave her and her infant children and unmarried daughter upon the cold charities of the world without any way to support or maintain her



✓  
-self in her old age, Your Oratrix will further show your Honor that her said husband owns a small farm containing some fifty or seventy five acres situated about one mile from Jonesville adjoining the lands of A C. Williams M.D. Richmond deceased and others, *another piece of land containing about 100 acres adjoining* a house and lot in the town of Jonesville where she and her husband now reside, another lot about one mile from Jonesville where his said concubine lives, a small amount of live stock household and kitchen furniture, and other personal estate, all of which is reasonably worth, as she is informed and believes, \$4000.00 and all of which she has assisted in making, she will further show your Honor that for the last ~~four~~ years her said husband has utterly refused to furnish anything for the support and maintenance of his family, and has cast the whole burden thereof on her and her children. Your Oratrix is advised that she is entitled to her reasonable support and maintenance out of the estate of her said husband, and not only for herself but for her two minor children, that she is entitled to a divorce a vinculo matrimonii from her said husband and to the custody of her two infant children. Now the object of this bill is to have the bonds of matrimony heretofore existing between herself and the said France Miles dissolved, to have alimony decreed her sufficient for her needs for support and maintenance and that of her two infant children to have her said husband enjoined from selling or in any way disposing of or incumbering his said estate until proper support and maintenance by way of alimony has been decreed and secured to her, to have him enjoined and restrained from throwing her out of house and home or in anyway interfering with her person or home until the final disposition of this case, and being without adequate remedy at law and properly relievable only in equity, she prays your Honor's Court of Chancery to take cognizance of her cause and grant her the proper relief. to this end she prays that France Miles be made the party defendant to this bill and that he be required to answer its several allegations on oath, that an injunction be granted restraining and inhibiting the said France Miles from selling, incumbering, or in anywise disposing of his property or any of it until the final disposition of this cause, that he be enjoined and inhibited from interfering with the person of your Oratrix, or molesting her in her home, and that upon a final hearing of this cause the bonds of matrimony now and heretofore existing between your Oratrix and the said France Miles be dissolved that she be given the custody

*the lands of C. Williams M.D. Richmond deceased and others*



of her two infant children free from the restraint or controll of her  
said husband, that suitable and sufficient alimony be set aside and  
allowed her out of the estate of her said husband and that he be re-  
quired to pay her reasonable attorney's fees, and if mistaken in her sp  
special prayers herein then she prays for full general relief.

May Spa. issue &c directed &c

Dinah Miles by  
H. M. Miles, her son & next friend

Dineau & Hyatt  
for Complainants

Virginia Lee County Lo. wt

This day Dinah Miles and H. M. Miles  
personally appeared before me a Justice of  
the Peace in and for said county  
and each made oath that the facts stated in the  
forgoing answer are true as they verily believe  
him under my hand this the 9<sup>th</sup> day of Novem-  
ber 1893. C. C. Blankenship J. P.



Dinah Miles by &c

v<sub>3</sub> } Bill in Chancery.

Fraunce Miles

Filed Novr the 9th 1893

A B Munsey  
Clerk

1893 2<sup>d</sup> Novr. Rules

Bill filed Spa

Exd and decree

Wisi & child

" 1<sup>st</sup> Decr Rules

D. Wisi Child

& cause set for

hearing

1894. March Term

Decree final

O B 585-6.

Plffs costs		Wife to court	
C	8.00	C	50
S	4.60	Wit	50
Depo	13.87	Depo	150
A	15.00		
Coc	7.50		
Wit	49.28		
			\$2.80



The answer of France Miles, the defendant, to a bill of complaint filed against him in the Circuit Court of Lee County, Virginia, by Dinah Miles, who sues by H. M. Miles, her son and next friend, complainant.

The respondent reserving to himself the benefit of all just exception to the said bill, for answer thereto, or to so much thereof as he is advised that it is material he should answer, answers and says:

That true it is he and said Dinah Miles were inter-married to each other in Lee County, Virginia, in the year 1857, and that from that time down to the present they have lived together as man and wife in said county and State aforesaid, and that there is issue born to them of said marriage, six children, all of whom are adults, except two - one of which is now in his 19<sup>th</sup> year, and the other in his 13<sup>th</sup> year. That the earlier days of your respondent's marital relations with said Dinah was pleasant and peaceable, is true; that she was a faithful, loving and dutiful wife, striving to make home happy and prosperous in those days, is also true; but that such has been the tenor of her conduct in the latter years of their marital relations, he emphatically denies; for in these latter years her conduct has been such as to make home unhappy and a station-house of discord and contention between your respondent and his children, rather than one of happiness - she always taking sides with said children when your respondent was attempting to correct them for misconduct and disobedience, thus encouraging them in their acts instead of aiding your respondent in correcting them - So too she has concealed from your respondent such acts of said children as needed corrections, and thus shielded them in divers way.

Your respondent denies that for the last three years he has been living in adultery with another woman, or that during that time he has spent three-fourths of his nights with a



concubine; but that - he has spent a number of his nights during that time, and even further back than that, away from his said wife Dinah, and at diverse places, he admits.

Your respondent it is true does not live the life that is becoming a good husband, or a good citizen to live. He does many things that he ought not to do, and he leaves undone many things that he ought to do. He acknowledges that he does sometimes take too much liquor, and by reason thereof becomes intoxicated; but these are acts that said Dinah has known for the last 35 years, even before she married your respondent, and not only has she condoned these acts at the time, but rather sanctioned them, and they are no more frequent now than during all this long 35 years. Said Dinah knew at the time she married your respondent, and has known ever since, that he frequently took sprees. Your respondent avers that he has not only kept in his house, and to the knowledge of said Dinah, kegs and jugs of whiskey, but barrels of it - and not even to this did she give her disapproval. This was in the earlier days of their marital relations when the habits that go with men through life were being formed, and it does seem that if said Dinah was so opposed to your respondent's drinking that she ought not then to have given his acts countenance.

Your respondent admits that when he is under the influence of liquor, and even sometimes when he is not under said influence, he may be austere of temper, petulant of manner, rude of language, wanting of civil attention and accommodation, and even passionate; but he denies that he fills the description of what might be termed "quarrelsome, fussy and abusive".

Your respondent avers that some time over two years ago, when he was least



expecting it, and when he bitterly opposed it, said Dinah, his adult daughter, and his son H. M. Miles, persuaded his oldest minor son to leave his home, and to go west to the State of Texas to labor for himself. This was at the period in said minor son's life when his services were needed by your respondent, and when he should have been in school. This act your respondent bitterly opposed; but not being apprised of said trip by said Dinah, who was secretly aiding him to get ready his clothing &c., or by any one else, until said son was ready to leave, it was then too late to check the trip. Your respondent then notified said son, and his said wife Dinah, that he could not again return to your respondent's roof, or be a member of his household, if he did make said trip. Said son did make said trip. After staying away for more than a year, he returned again to become a member of your respondent's household - idle and dissolute, refusing to obey your respondent's orders, to do any manner of work, and that when directed by your respondent to do so. These acts your respondent in his declining years was not able to support or maintain. Under these circumstances and conditions your respondent admits that he did tell said minor son, now in his 19<sup>th</sup> year, large, brawny and muscular in development, that he would have to obey your respondent in his orders, and do such work as he directed him to do about the home and premises, or he would have to leave his roof.

True it is that your respondent has endeavored, diverse of times, to get his adult daughter to leave his premises. He has even given her written notice to leave. Said adult daughter is now 33 years of age, has been married once, (and that against your respondent's will), is morose, petulant, and tattling, a stirrer-up of discord, and so conducts herself as to make the household in which she lives unpleasant, if not unbearable, and she has been, in your respondent's home, the principal leaven that has raised the strife



that has ushered on these legal proceedings. Under these circumstances, your respondent felt under no obligation to support and maintain such a daughter, and thought it best for the peace of his home for her to seek other quarters. Thus it was that your respondent ordered said adult daughter away from his home.

But your respondent denies that he has ever ordered said Dinah from home, threatened if she did not go he would throw her out, threatened her with injury, declared that unless she left home he would kill her. Each of these allegations he sternly denies, and avers that they are untrue, uncalled for, and simply vague and barren statements; and your respondent knows no reason why, after 35 years of straight-forward, every-day similar course of life, that said Dinah should, in the decline and close of her life, at last learn that she is afraid of her life.

Your respondent avers that he has never threatened, or that he has never had any intention, to sell or dispose of his property, and leave said Dinah and her children without support upon the cold charities of the world.

Your respondent cannot forbear to express some surprise at the charge contained in the complainant's bill respecting this wealth. Your respondent avers that he is in fact a poor man, scarcely able to make "tongue and buckle meet" in the strife of life. Your respondent admits that he owns a small tract of land of 75 acres, known as the Sullivan tract, adjoining the land of A. C. Williams et al; but this said tract is not worth at most over \$5 per acre. He also owns a small tract of 23 acres, known as the Pridemore tract, adjoining E. B. Garrett et al, worth \$5 per acre; a three-acre lot bought of Clabe & Swan Hamblin, adjoining said 23-acre tract, worth \$10 per acre; one house and lot on the Town branch, known as the Jo. Garrett property, worth \$150, but said



Last property is subject to a vendor's lien of about \$55; one house and lot in Jonesville, worth about \$1000. Your respondent also owns one cow, one old mare, and one colt, the three worth \$75; household and kitchen furniture worth \$65; and an old worn-out set of blacksmith tools, worth not over \$10. These constitute the whole of your respondent's wealth, which is subject to \$200 of outstanding indebtedness. Under no circumstances is your respondent's property, both real and personal, worth over the sum of \$1800.

Your respondent denies that he has refused to furnish support and maintenance for his family for the last two years, and that he has cast that burden on said Dinah and her children. On the contrary your respondent avers that he has furnished the whole of said support up until last November, when he was almost forced to leave his home through the persecution and cruelties of his children, and that even since that time he has furnished the principal part of said support, and at the same time allowing his said wife Dinah to collect and use the board-bill of a boarder who is paying \$8 per month. This sum of itself would be an ample sum to support her and her two minor sons, even allowing them to revel in idleness and rest in ease on the palsied and fast decaying arm of their aged father.

Your respondent avers that he regrets very much that said Dinah, this late in the declining years of her life, has allowed herself to be over-persuaded by her children to file her suit for divorce; for your respondent fully believes that if said Dinah was left to her own volition she would never have taken the course she has taken in this matter.

Your respondent avers that he is perfectly willing, if it is the desire of said Dinah, that she be released from the existing bonds



of matrimony binding her to your respondent, for he would not, in her old age, have her live in fear of her life, as she alleges in her said bill that she is.

Your respondent is also perfectly willing, and wants his said wife to have a reasonable proportion of his property for her support and maintenance; but he denies that a court of equity, or any other body of justice, ~~will~~ ought to wring from his hard worked earnings, hammered out on the anvil, a support ~~for~~ a disobedient and profligate son, now in his 19<sup>th</sup> year, able bodied and in good health, who left his father and sought the world to labor for himself at that period and age in his life that he should have been aiding his father and his mother to lay up store to subsist upon in their old age.

As to the younger of said minor children, who is now in his 15<sup>th</sup> year, although he is large and portly in stature and fully able to make a support for himself, yet your respondent is willing and avows that he will, so long as he has means and health, support and take care of said younger minor son, if he will only obey your respondent in his reasonable ~~parental~~ commands, and not follow in the footsteps of his older brothers. Your respondent does not think that a court of equity will take from him, now in his old age, his already limited means and set it apart for his children that they may loiter in idleness, when they ought to be making a support not only for themselves, but for their father and mother.

Your respondent again avers that he wants a reasonable proportion of his property set apart for the support and maintenance <sup>of said Demah</sup> during her life; but he strenuously resists the claim that any of his property ought to be set apart to support his adult daughter, or his two sons, who are able to support themselves.



After the dissolution of the bonds of matrimony now existing between said Dinah and your respondent, and after said Dinah has had set apart for her support and maintenance a reasonable proportion of his property, then your respondent prays that the injunction now existing in this cause be dissolved, and that your respondent be allowed to spend the balance of his old age in peace, free from the disturbing influences of a quarrelsome and fussy family.

Your respondent denies all fraud, unlawful combination and confederacy; and now having fully answered the complainant's bill, he prays to be hence dismissed with his reasonable costs in this behalf expended, and he will ever pray, &c.

France Miles.

A. M. Guins,  
Jr. d.

Virginia: Lee County, to wit:

This day personally appeared before me, H. C. Joslyn, a justice of the peace for the county and State aforesaid France Miles, whose answer is above written, and made oath that the statements contained in said answer, so far as made of his own knowledge, are true; and so far as made from knowledge or information derived from others, he believes to be true.

Given under my hand this 2<sup>nd</sup> day of Feb., 1894.

Henry C. Joslyn J. P.

11 H 11



Grace Miles  
ads. } Answer.

Dinah Miles.

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Filed in open court March 9th  
1894 A.B. Munsey clerk



Dinah Miles by &c.

Plaintiff.

vs.

In Chancery.

France Miles.

Defendant.

This cause came on this day to be heard upon the bill of complaint the injunction heretofore granted, the answer of the defendant and general replication thereto, the deposition of witnesses, and was argued by counsel. On consideration whereof it is adjudged, ordered and decreed that the bonds of matrimony heretofore existing and now subsisting between the said Dinah Miles and said France Miles be and the same are hereby dissolved, and it being admitted in open court that the question of alimony has been settled by the parties between themselves it is further adjudged, ordered and decreed that the injunction heretofore granted be and the same is hereby dissolved without damages, and it is further adjudged, ordered and decreed that the complainant recover of the defendant her costs about the prosecution of this case incurred to be taxed by the clerk for which execution may issue, and there remaining nothing further to be done in this cause, it is stricken from the docket



Dinah Miles

vs. <sup>2</sup>/<sub>2</sub> Dearee

France Miles

Geo B Page 585  
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Enter this

March 14. 1894

H. I. K. M.

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Dinah Miles by <sup>vs</sup> } In Chy  
France Miles }

This day came the complaint  
by her next friend H. M. Miles and  
presented her bill verified by affidavits  
moved the court for an injunction  
sit appoing proper it is adjudged  
ordered & decreed that an injunction  
be awarded restraining inhibiting  
& enjoining the defendant France  
Miles from selling or in any  
way encumbering the property in  
the bill specified till the further  
order of the court but this  
injunction will only become  
operative upon complaint  
or some one for her executing  
bond before this court or the  
clerk of this court in the penalty  
of \$4000.<sup>00</sup> conditioned to pay all  
costs & damages occasioned by the  
injunction & also conditioned as  
the law directs.



Siwash Whips by 7  
27 3 Decm  
France Miles  
November 1893

Entered Nov 9<sup>th</sup> 1893  
Che. O.B. pages 5-11-12

Ent  
H.S.W.M.  
Nov 9<sup>th</sup> 1893



The depositions of D. C. Fleenor, Martha Miles, Chas. Denny, J. W. Fleenor, David Williams, Mollie A. Parsons, H. M. Miles, Ben F. Miles, Henry Pendleton, W. B. Andis, M. H. Jamison, J. P. Graham, W. P. Spinklee & others taken at the office of C. I. Duncan in the town of Jonesville on the 2<sup>nd</sup> day of February 1894 pursuant to notice hereto attached which depositions are intended to be read as evidence on behalf of the plaintiff in ~~a~~ certain suit in Chancery now pending in the circuit court of Lee County, Va in which Dinah Miles who sues by ~~se~~ is plaintiff and France Miles is defendant:

Present Duncan & Hyatt, counsel for complainant, and A. M. Goss, counsel for defendant.

D. C. Fleenor, a witness of lawful age being first duly sworn, deposes and says:

1<sup>st</sup> Ques. Please state your age and place of residence.

Ans. I am 36 years old, reside on the town branch about  $\frac{1}{2}$  mile north east of Jonesville.

Ques. 2<sup>nd</sup> Please state whether or not you are acquainted with France Miles the defendant in this suit, and if so how long have you known him.



ms I am, & have known him all  
my life.

3<sup>d</sup> Ques. Please state whether or not you are  
acquainted with one Ann Dorton; if  
so how long have you known her  
and how close does she reside to  
you?

Ans. I am acquainted with Ann Dorton &  
have known her about 5 years. She  
resides about 400 yards from me.

4<sup>th</sup> Ques. What is her general reputation in  
the neighborhood in which she lives  
for virtue & chastity?

Ans. It is not very good.

5<sup>th</sup> Ques. State whether or not it is not a matter  
of general repute that she is keeping a  
house of ill-fame resorted to for the  
purposes of prostitution and lewdness?  
It is said that she does.

Ans. 6<sup>th</sup> Ques. Will you please state whether or not  
the defendant in this suit visits that  
house, the extent and frequency of  
those visits and how long he has  
been doing so?

Ans. He does; I don't remember to have  
seen him in the house more than once.  
Have seen him in the yard frequently  
also in the porch. It has been going  
on some two years or more.

7<sup>th</sup> Ques. Is it not a fact that for the last  
two years or more he has passed by  
your house almost every evening going



in the direction of said house and next morning passed by your house returning from that direction, if not how often have you seen him doing so?

Ans. I have seen him ~~going~~ <sup>frequently</sup> by my house, of an evening ~~up~~ the road in the direction of said house & on a few occasions I have seen him coming down the road from that direction of a morning. I have seen him go in at the gate a few times & go up ~~toward~~ the house.

Q<sup>d</sup> Ques. Is it not a fact that general reputation in the neighborhood in which you live charges that the said defendant and the said Ann Dorton are living in adultery with each other?

Ans. It is so said.

X. Examined

1 Ques. by Deft. Who did you ever hear say that Ann Dorton and Frances Miles are living in adultery?

Ans. I have heard Ebb Ganett, Bill Sprinkle, Kib Hyden, my wife & different once use such talk

2 Ques. Please state, Mr. Flemer, if Ann Dorton has not resided at your house as high as a week at a time?

Ans. No Sir.

3 Ques. Is she not a frequent visitor in your house?



Ans. She used to come there pretty often but not in six or eight months. Sometimes she would come there sew & sometimes talk for half an hour or such a matter.

4 Ques. Is it not a fact that your wife and other decent women in the neighborhood of Ann Dorton's frequently visit her house?

Ans. No Sir, I don't know that my wife has been there for the last twelve months. About a year ago <sup>or more</sup> she went there occasionally.

5 Ques. Can you say of your own knowledge that said Ann keeps a house of ill-fame?

Ans. I can not.  
Are you not one of her nearest neighbors?

6 Ques. I am one among the nearest, but not the nearest.

7 Ques. Have you ever seen France Miles at <sup>other</sup> houses in the neighborhood of ~~Ann Dorton's~~

Ans. I have.

8 Ques. Have you not seen France Miles at other houses still farther up the hollow and further away from ~~his~~ home than said Ann's

Ans. I have.

9 Ques. Is it not a fact that Mr. Miles is a very social man and does he not frequently visit the homes of his neighbors.



(5)

Ans 9. He is friendly & sociable with me. I have seen him at different houses up there.

10 Ques. Does not said France own the property in which said Ann lives, and is it not customary for a landlord to frequently visit the premises of his tenant?

Ans. It is generally understood that he owns said property. I suppose it would be customary for a landlord to visit his tenant if he had a mind to.

11 Ques. Does not said France own other property still further up <sup>than said Ann's</sup> said hollow, and in order to reach which would he not have to go by said Ann's house, or along the road by said Ann's

Ans. It is so said that he does, & would have to by her house <sup>to get to it</sup> if he went the road.

12 Ques. When you speak of having seen said France, for the last two years, passing by your house every evening going in the direction of said Ann's house and returning next morning from that direction, can you say where he was going, or from whence he was coming?

Ans. I can not.

13 Ques. Then I understand from your answer to said question that you simply



1 saw said Miles passing along  
2 the road which runs by your house  
3 and also by said Ann's house,  
4 and that you do not know where  
5 he was going. Is this right?

6 Not at ~~all~~ times did I know where  
7 he was going, but a few times <sup>I saw him</sup> go  
8 in at the gate.

9 Re examined  
10 question. You say the defendant owns  
11 property above, and beyond Ann Dor  
12 tows, who lives upon it.

13 Ans. "Dad" Miles & her mother, Champ  
14 Hamblen & Nelson Graham did live  
15 there a while.

16 2 question. How long has "Dad" Miles and  
17 his mother been living on said Miles' land?

18 Ans. About 3 years

19 3 question. What is the general reputation of  
20 the house they keep, for virtue and sobriety

21 The above question is objected to as  
22 being immaterial, irrelevant, and  
23 impertinent.

24 A. M. Gaines Atty for said  
25 France Miles.

26 Ans. It is bad.

27 And further this deponent saith  
28 not — L. C. Fleener

29 Witness claim  
30 1 Day - 50¢

31 Martha Miles another witness after being  
32 duly sworn deposes & says: —



1<sup>st</sup> Ques. Please state your age and place of residence.

Ans. I am 44 years & live about  $\frac{1}{2}$  mile north east of Jonesville on the town branch.

2<sup>nd</sup> Ques. Please state whether or not you are acquainted with France Miles the defendant in this suit, and if so how long have you known him?

Ans. I am acquainted with him & have known him about 25 years.

3<sup>rd</sup> Ques. Please state whether or not you are acquainted with our Aunt Dorton; if so how long have you known her and how close does she reside to you?

Ans. I am acquainted with Aunt Dorton, and have known her about 5 years. She lives about 60 yards from my house.

4<sup>th</sup> Ques. What is her general reputation in the neighborhood in which she lives for virtue and chastity?

Ans. I don't know anything about that.

5<sup>th</sup> Question. How often have you seen the Defendant France Miles at Aunt Dorton's house in the last two years.

Ans. A good many times, I don't know how often.

6<sup>th</sup> Question. Has he not spent a great many nights there in the last two or 3 years?

Ans. I don't whether he stays there or not.



I see him there of an evening very often & also soon of a morning.  
Question. Have you not frequently seen him come out of the house where Ann Dorton lives, of a morning, lock the door, and then slip the key under the door, and then go off in the direction of home.

Ans. I have seen him do so.

Question. Have you not frequently seen him, doing work at and around said house such as getting wood making fires and milking Ann Dorton's cow, state what you have seen him do.

Ans. I have seen him carry wood upon the porch & I have seen him going toward the stable, ~~with~~ a bucket I suppose to milk the cow.

X Examined.

1 Ques. How long has it been since you saw <sup>or</sup> France Miles come out of Ann Dorton's house, of a morning, lock the door and put the key under the door and go away?

Ans. I don't know how long, but less than a year anyway.

2. Ques. Who was in said house when you saw the above acts?

Ans. I don't know.

3 Ques. What time in the day was it when you saw said acts?

Ans. It was in the morning, before I eat my breakfast.



4 Ques. How far do you live from said Ann's house - Can you state that you saw a key that far away, and that you actually saw him stick a key under the door?

Ans. - About 60 yards. I saw him pull something from the door, which I thought was the key & put it under the door. I can't say for certain that it was a key but from the motion I took it to be.

5 Ques. Does not France Miles own the property in which said Ann lives, and is she not a relative of said France.

Ans. He owns the property I reckon. I suppose they are some a kin. I don't know what.

6 Ques. Does not said France own other property in the neighborhood of said Ann's house, and do you not know that he frequently visits said property.

Ans. He owns other property up there & goes up to see about it. And further this witness saith not

Witness Claim  
1 Day - 50<sup>cts</sup>

Martha<sup>her</sup> Miles  
mark

The further taking of these depositions is adjourned until to-morrow morning



at 9 O'clock at the same place  
This Feby 2<sup>nd</sup> 1894.

D. S. Sewell N.P.

Met pursuant to adjournment, this  
Feby 3<sup>rd</sup> 1894. 9 o'clock A.M. Same  
parties present as on yesterday.

D. S. Sewell N.P.

Charles Denny another witness of lawfull  
age being duly sworn deposes & says:

1<sup>st</sup> Ques. Please state your age and place  
of residence.

Ans. I am 23 years old, & live in the  
Suburbs of Jonesville on town branch.

2<sup>nd</sup> Ques. Are you acquainted with France  
Miles and Ann Dortow? if so how  
long have you known them?

I am acquainted with both. I have  
known Mr. Miles all my life & have  
known Ann 3 or 4 years.

3<sup>rd</sup> Ques. Are you acquainted with the people  
in the neighborhood in which they live?

Ans. Yes, sir.

4<sup>th</sup> Ques. What is the general reputation of  
the said Ann Dortow in said neigh-  
borhood and among said people for  
virtue and chastity? And what kind  
of house is she reputed to keep?

Ans. Her reputation is bad and keeps  
a bad house.

5<sup>th</sup> Ques. Did you ever see the defendant  
France Miles at Ann Dortow's house  
at any time in the last two or



Three years? if so how often?

Ans. I have seen him there. I can't say how often, several times though.

6<sup>th</sup> Ques. What was he doing?

Ans. - Sitting around in the house & about the house & carrying in wood or something like that.

7<sup>th</sup> Ques. What times of the day have you seen him there?

Ans. - Mostly of an evening. I have seen him there several times of a night. Once very early in the morning - before day.

8<sup>th</sup> Ques. How was he dressed on the occasion you saw him there early in the morning?

Ans. - In his night clothes.

9<sup>th</sup> Ques. How many beds were in that room?

Ans. - Two.

10<sup>th</sup> Ques. Did you see Ann Dorton on that occasion, and if so how was she dressed?

Ans. I did & she was in her night clothes.

X Examined

1. Ques. When was it that you saw said Miles at said Dorton's in the morning?

Ans. - Christmas morning, last -

2. Ques. Who else was in that room at the time you saw what you say you did see?

Ans. I did not see any one else but Mr. Miles & Ann Dorton.



3 Ques. Do you not know that Jane Miles,  
Dudd Miles and Dudd Miles' children  
all stayed at ~~the~~ Ann Miles'  
the night you speak about?

Ans. No, Sir, I do not know it.

4 Ques. Does not France Miles own the  
property in which said Ann lives?

Ans. I have so heard.

5: Ques. Is not said Ann a relative of said  
France, or have you not so heard?

Ans. I have heard it said that they  
were.

And further this deponent saith  
not -

Charley Derry

J. W. Fleenor another witness being  
first duly sworn deposes & says:

1st Ques. How old are you and where do you  
reside?

Ans. I am 57 years old & I reside on  
the Town branch near Jonesville.

2nd Ques. Are you acquainted with the gener-  
al reputation with Ann Dorton  
and the people in the neighborhood in  
which she lives?

Ans. I am acquainted with the people  
in the neighborhood & slightly  
acquainted with Ann Dorton.

3rd Ques. What is her general reputation in  
that neighborhood and among those  
people for virtue and chastity?

Ans. It is not very good.



4<sup>th</sup> Ques. - State whether or not she isn't generally reputed to be a woman of easy virtue and to keep a house of ill fame?

Ans. ~~That~~ It is the report of the neighborhood that she is a woman of easy virtue. I can't say that I have heard that she keeps a house of ill fame.

5<sup>th</sup> Ques. State whether or not within the last two years you have seen the defendant Frances Miles visiting Ann Dorton's house; if so how frequently?

Ans. I ~~have~~ have never seen Frances Miles about her house more than twice.

6<sup>th</sup> Ques. -

X Examined.

1 Ques. Does not Frances Miles own the property in which said Ann Dorton lives?

Ans. That is my understanding.

2 Ques. Is it not usually customary for a landlord to frequently visit the premises of his tenant?

Ans. Yes, Sir, I suppose it is.

3 Ques. Is said Ann not a relative of said Frances, or have you not so been informed?

Ans. I have so understood.

And further this witness saith not -

J. W. Flanagan



Dud Williams another witness of lawful age being duly sworn deposes & says:-

1 Question Are you acquainted with Frances Miles the defendant in this suit, and if so how long have you known him.

Ans. I am and have known him for 12 or 15 years.

2 Question. Are you acquainted with Anne Dorton if so how long have you known her?

Ans. I am & have known her for about 3 years.

3 Question. Within the last three years have you or not carried provisions and other things for Frances Miles to Anne Dorton if so how often, and what did you carry?

Ans. I have carried some flour & sugar to her for him.

4<sup>th</sup> Question. State whether or not you have seen the said Miles at Anne Dorton's house within the last two years if so, how often and what time of day did you usually see him there.

Ans. I have seen him there in the evening a few times  
- X-aminid-

1<sup>st</sup> Question How many times have you carried provisions from said Frances to said Ann?

Ans. Some three or four times.

2<sup>nd</sup> Question Do you know whether said Ann paid said Frances for said pro-



visions, and if so, how?

Ans. She said she paid him some money.

The foregoing answer is objected to be  
cause witness cannot state what Ann  
Dorton said about it. It is mere hearsay

Duncan & Hyatt.

for Complainant

3 Ques Does not France Miles own the property  
in which said Ann lives?

Ans. It is so said.

4 Ques Is not Ann Dorton a relative of  
France Miles, or have you not  
so heard it stated?

Ans. I have heard some talk that  
they were a kin.

witness claims

2 Days at

50¢ H/100

And further this witness  
saith not —

Dud<sup>his</sup> & Williams  
mark

Mollie A. Parsons another witness  
of lawful age being duly sworn  
deposes & says —

1. Question. What, if any, is the relation  
ship between yourself and the complain-  
ant and defendant in this suit to wit  
France & Dinah Miles.

Ans. They are my father & mother.

2. Question. Where have you been living  
for the last two or three years.

Ans. At the house of my mother & father,  
Dinah & France Miles

3. Question. Please state whether or not you



how heard your father make any threats against your mother ~~in~~ the last two or three years, if so, please state what sort of threats he made and all about it.

Ans. I have heard him curse her, threaten to slap her, <sup>threaten to</sup> hit her. I have seen him draw back to hit her & threaten that if he could not get rid of her one way he would another.

4 Question. When were these threats made as nearly as you can state.

Ans. Sometime this last fall about September & about the election.

5 Question. Please state the conduct of your mother, to her husband, for the last two or three years and if there was anything in her conduct to cause him to curse abuse and threaten her please state what it was.

Ans. She was just as good & kind to him as he would let her be & she never gave him any cause to curse & abuse her. ~~as I~~

6 Question. Please state how many nights your father has staid at home, in the last two years, or nearly as you can, and if you have been absent from home any time during that time state how long.

Ans. I have not been absent more than two weeks during that time. I do not think he has stayed at home of a night more than a month



all put together during that time.

7 Question. Please state what time in the evening he would go off and what time in the morning he would return?

Ans. Sometimes tolerably early & sometimes late in the evening and generally came home in the morning for breakfast.

8 Question. Do you recollect when your Brother Ben left home, to go to Texas and if so please state whether or not, your mother, yourself and H. M. Miles persuaded the said Ben to leave his home and go west?

Ans. I recollect when he went and I know he was not persuaded to go by myself or mother.

9 Question. On that occasion did your mother secretly prepare him for the trip or secretly aid him in getting ready for said trip without your father's knowledge?

Ans. No, sir, I don't suppose she did. There was no secret about it. My father was informed of it a week before he left.

10 Question. ~~Did your father~~ go to Mrs. Callie Martin who had lately come from Texas to see if he could not purchase from her a return ticket to that state for Ben.

Ans. I don't know.

X Examined



1 Ques What has been your feelings toward  
your father France Miles for the last  
three years?

Ans. Friendly, until last September,  
when he would let me be

2 Ques Then you do not feel very kindly  
toward him at this time?

Ans. I have not got any unkind  
feelings toward <sup>him</sup>. I wish I could  
get along with him

3 Ques How many times in the last three  
years have you attempted a friendly  
conversation with - France Miles, such  
as a daughter would carry on with  
her father?

Ans. Up to last <sup>the</sup> few months we got along  
all right

4 Ques Have you had a conversation with  
France Miles in the last 12 mos.;  
if so what about?

Ans. I know I have had conversations  
with him in that time. I can't  
say what <sup>they were all</sup> about. The last one was  
about Ben.

5 Ques Has not said last conversation  
you speak of in a family quarrel?

Ans. No, sir.

6 Ques Do you not know that on the morning  
that Ben Miles started to Texas that  
France Miles came in the house  
and asked your mother Dinah  
if she was going to let said



1  
Ans. 2 go to Texas? and  
I do not.

7 Ques 3 Do you not know that H. M. Miles  
4 or Chas. Miles, one or the other, sent  
5 Ben \$15, or there abouts, ~~from~~ him  
6 to come to Texas an?

Ans. 7 They sent him \$28, one or the  
8 other. I do not know which.

8 Ques 9 Which of the above parties, according  
10 to your understanding was it that  
11 sent said money?

Ans. 12 I don't know which. I rather under-  
13 stood it to be both.

9 Ques 14 Did you or your mother ever  
15 tell France Miles that Ben was going  
16 West?

Ans. 17 I told him. I don't know whether  
18 my mother told him or not. Ben  
19 told him.

10 Ques 20 How can you say that Ben told  
21 him?

Ans. 22 Ben said so.

11 Ques 23 Then you are only going upon  
24 hearsay are you?

Ans. 25 No, as regards Ben.

12 Ques 26 You say that you nor your  
27 mother did not persuade Ben to  
28 go to Texas, how can you say  
29 that your mother did not  
30 persuade him?

Ans. 31 I never heard her.

13 Ques 32 Could your mother not have  
done so, and that not in your pres-  
ence? ~~yes~~, to



Ans. Yes, of course she could, but I don't think she did.

14 Ques. You say that France has not stayed at home more than a month all together in the last two years, do you know where he was at the time he was absent?

Ans. I do not

15 Ques. Has it not been the habit and custom of your mother in the last two or three years to take sides with, shield and protect her children when their father was attempting to correct them?

Ans. No sir, Not when he attempted to correct them right.

16 Ques. Then she has done so, has she?

Ans. ~~He~~ She has not, unless he would come home <sup>drunk</sup> cursing & abusing them & she would tell him to wait till he got sober & then talk to them.

17 Ques. What were the circumstances under which the acts occurred as detailed by you in your answer to question 3, propounded to you by the other side?

Ans. He just come home drunk, cursing & cutting up.

18 Ques. Have not you and H. M. Miles insisted on your Mother bringing this suit?

Ans. I have not. I do not know what H. M. Miles has done. I did not know that it was going to be brought until it was commenced.



19 Ques. Can you tell why it is that your mother is not here taking part in these proceedings?

Ans. She is not able to get here.

20 Ques. Did she not milk yesterday morning?

Ans. She did.

21 Ques. Did she not milk this morning also, and has she not been up all day so far as you know?

Ans. She did. She has been up all day so far as I know.

22 Ques. Do you not know it to be a fact that your mother would not be here if her health was ever so good?

Ans. I do not.

23 Ques. Have you not heard her say that she would not come?

Ans. I have not.

24 Ques. Who else was present at the time of the occurrence of the acts detailed by you in your answer to ques. 13, above propounded by the other side?

Ans. No one, but my mother and <sup>brother</sup> Dave.

Re-examined  
1 question. The 14<sup>th</sup> question asked you an cross examination is as follows. "You say that Horace has not stayed at home more than a month altogether in the last two years, do you know where he was at the time he was absent?" To which you



answered "I do not" Now please state when you understood he stayed those nights.

The above question and the answer thereto is objected to, as her understanding is not evidence in this case.

A. M. Goings, Atty for Francis Miles.)

Ans. Up at Ann Dorton's on the Creek.

2<sup>nd</sup> question. Has Francis Miles furnished the support for his family during the last two years, if not, who has furnished it.

Ans. He has not furnish near all that it has taken to eat and not near all it has taken to wear. H. M. Miles has furnish some, I have furnish some & Ben has furnish some & my mother some.

Re-Examination

1<sup>st</sup> Ques. From whom did you get your information that Francis stayed at Ann Dorton's, as you above state?

Ans. I could<sup>nt</sup> tell you who all. I have heard lots speak of it. I have heard Bill Andis, Martha Miles & Grand father Miles say they had seen him there.

2<sup>nd</sup> Ques. Did you ever hear any of the



1 above parties say that France stayed  
2 all night at Ann Dorton's

Ans. 3 I have heard grand father & Martha  
4 Miles say they had seen him  
5 come out of her house early in  
6 the morning & lock the door &  
7 slip the key under the door -

3 Ques. 8 How much of the time in the last  
9 two years <sup>has it been</sup> that France Miles has  
10 failed to furnish the support for  
11 his family?

Ans. 12 About half of the time; the  
13 first part of the last two years  
14 & the last part of the last two  
15 years he did not furnish it.

4 Ques. 16 Who furnished it the first part of  
17 the last two years?

Ans. 18 H. M. Miles & myself.

5 Ques. 19 At the time you say that you and  
20 ~~you~~ H. M. Miles furnished said  
21 support, was not said H. M. Miles  
22 a married man and did not he  
23 and his wife both live with said  
24 France, and was you not at  
25 that time over 30 years of age  
26 and also ~~a married woman~~  
27 ~~or~~ a widow woman?

Ans. 28 yes, sir.

6 Ques. 29 Who furnished the support the  
30 last ~~half~~ part of said two years?

Ans. 31 I furnish the biggest part of it.  
32 Mother furnish some. My father



furnish some up to September last,  
Since then my father has not furnish  
Anything.

7 Ques During the above time has not France  
furnished the whole of the bread, the  
principal part of the meat, and  
at the same time furnished a good  
cow for the family?

Ans No Sir, he has not furnish all the  
bread nor all the meat. There is  
a cow there, but my mother claims  
it.

8 Ques Do you not know that since last  
August that France has furnished  
26½ bu. of wheat for his family?

Ans- No Sir, he furnish 17½ bushel at  
home. I hear him say that there  
was 17½ bushels & the most of it  
was gone when he quit staying  
at home.

9 Ques Has not your mother during the last  
few years always collect the board-  
bills of boarders that stayed in  
the family and used the same

Ans. Yes sir, She has had only one  
boarder though. He has been  
boarding there since <sup>S</sup>ometime  
last summer.

10 Ques During the above time was there not  
a good garden raised on the place  
and has there not been hogs killed  
for the use of the family?



(25)

Ans. There has been one hog killed & it belong to my mother. Mr Munsey gave it to her & it was raise on the slops. There was a very good garden raise, but my mother worked it & hired it cultivated except my father worked over the patch of corn the first time & also planted the patch of corn. ~~and~~ and further this deponent saith not.

witness  
claims  
2 days at  
50¢ / 1.00

Mollie A. Parsons,

The further taking of these depositions is adjourned until Monday morning <sup>next</sup> at 9 o'clock A.M. at the same place. This Feby 3<sup>rd</sup> 1894.

D.C. Sewell M.P.

Met pursuant to adjournment, this Feby 5<sup>th</sup> 1894 (9 A.M.). Present Duncan & Heath attys for Plaintiff & F.M. Goins atty for Defendant.

H.M. Miles another witness of lawful age being duly sworn deposes & says:

Ques. 1 Please state your age and place of residence.

Ans. I am 25 years old & live in the town of Jonesville.

2<sup>nd</sup> Ques. What relation are you to the defendant France Miles?

Ans. I am his son.

3<sup>rd</sup> Ques. When have you ~~made~~ your home principally for the last two or three years?



Ans. 1 I came from Texas June 1892 <sup>4.6</sup>  
2 I lived at my father's from 1<sup>st</sup> July  
3 till 27 March 1893, since, then have  
4 kept house in Jourdille.

4<sup>th</sup> 5 question. During the time you resided at your  
6 father as aforesaid from June 1<sup>st</sup> to March  
7 27<sup>th</sup> Please state whether your father staid  
8 at home of nights and give as nearly as you  
9 can the number of nights he staid away  
10 from home.

Ans. 11 Perhaps he stayed as much as fifteen  
12 nights during the ten months I  
13 was staying at his house.

5<sup>th</sup> 14 ~~He was~~ Was he at home during the day  
15 if so please state about what time he would  
16 leave in the evening and return in the morning.

Ans. 17 He seldom came home from the  
18 Shop in the after-noon & would  
19 usually come home for breakfast  
20 in the morning.

6. 21 Are you acquainted with one Anne  
22 Dorton, and if so how long have you  
23 known her.

Ans. 24 I ~~have been~~ <sup>have been</sup> well acquainted  
25 with her about five years. Have  
26 known her for a number of years.

7. 27 Do you know the people in the neigh-  
28 borhood in which she lives.

Ans. 29 Yes, Sir.

30 What is her general reputation in said  
31 neighborhood and among said people  
32 for virtue and chastity.



Ans. 1 It is very bad.

8.2 Please state whether ~~or not~~ in the last  
3 two years your father Francis Miles  
4 has or has not been a frequent visitor  
5 at the house of the said Ann Dorton.  
6 State all you may know of his intima-  
7 cy and connection with said woman.

Ans.

8 He has been a frequent visitor at  
9 Ann Dorton's house. I have seen him  
10 there often. I have seen him there  
11 at almost all times in the day  
12 & have seen him there at night.  
13 I have seen him carry wood in  
14 the house. I have seen him going  
15 up & down the road with her on  
16 behind him on a horse. Have seen  
17 him walk up & down the road with  
18 her. Have seen him picking  
19 black berries with her. Have seen  
20 him helping her to carry vegetables  
21 to her house. Have seen him  
22 come up the street in Jonesville  
23 with her. Have seen her in  
24 his shop often. Have seen him  
25 help prosecute boys for interfering  
26 with her. He also prosecuted  
27 me for whipping her.

28 On the nights you speak of seeing  
29 Francis Miles at the house of Ann  
30 Dorton. did he remain away from  
31 home all night, if not what time in  
32 the night would he return home



Ans. He remain away from home all night. He would come home about breakfast time.

10 How far does the said Ann live from the dwelling house of the said Francis Miles.

Ans. About one half or three quarters of a mile.

11 Please state the property owned by the said Francis Miles and the fair cash value thereof as nearly as you can.

Ans. He owns a house & lot in Jonesville worth \$800<sup>00</sup>; a farm known as the Sullivan tract of about 75 acres, worth about \$1000<sup>00</sup>; another tract known as the Pridmore tract, I always understood about 50 or 60 acres, worth about ten dollars an acre; the Joe Garrett property worth about \$300<sup>00</sup>; the blacksmith shop & lot, worth about \$50<sup>00</sup>; a house & lot, worth \$50<sup>00</sup>; house & kitchen furniture worth about \$25<sup>00</sup>.

12 The method of cross examination here used seems to suggest that your mother is not prosecuting this case of her own accord. Please state how this is.

Mrs. She is prosecuting it herself. She came to my <sup>house on the morning after the election</sup> & said she could not stand it any longer, before I ever mentioned it to her.



13. Please state the treatment of your father to your mother recently before this suit was brought. State any threats he made against her or any violence or offers of violence to her.

Ans. It was the most brutal kind of treatment. He would get drunk & go home & curse & swear, threaten to throw her <sup>out</sup>, threaten to strike her. I have seen him draw back to strike her & say that if he could not get rid of her one way he would another.

14. During the 10 months you lived at home that is from June 1<sup>st</sup> 1892 to March 27<sup>th</sup> 1893 who supported the family, and state how much if anything your father contributed thereto.

Ans. I supported the family during that time principally. I don't think he contributed as much as two dollars a month.

#### X Examination

1 Ques. What are your feelings toward your father in this matter?

Ans. The very kindest.

2 Ques. How long has it been since you had a conversation with your father?

Ans. About three months.

3 Ques. Have you ever talked with him except in a power or quarrel since the 1<sup>st</sup> of Sept. last? If so, when and about what?



Ans. I have talked to him about three months ago & tried to get him to go away <sup>till he</sup> settled down & be quite & let the family alone.

4 Ques. Why is it that you have had nothing to do with him since then?

Ans. Because he threaten to whip me & I knew I couldn't get along with him peaceably.

5 Ques. You say in your answer to question 4 above asked you by Complainant that France Miles ~~has~~ <sup>did</sup> not stay at home more than 15 nights in the ~~last~~ <sup>that you stayed at his house</sup> ten months, can you say where he was during that time of your own knowledge?

Ans. I cannot.

6 Ques. Does not France Miles own the property in which Ann Dorton lives?

Ans. I understand he does.

7 Ques. Is not Ann Dorton a relative to France Miles?

Ans. I have always understood she was. 8 Ques. When you say that you have seen him there at almost all times in the day & have seen him there at night, do you mean that you have seen him in the house or on the out side, and can you say who were in in the house at the time?



Ans. I have seen him in the house  
on the porch & in the yard. I  
have seen Ann Dorton, Sud Miles  
& Jane Miles all in the house  
with him

9 Ques Did you ever see him there when  
there was not some one <sup>else</sup> in the  
house

Ans. I have seen him there when I  
did not see any one else in  
the house, but don't know  
whether there was any one in  
there or not.

10 Ques You say that France has pros-  
ecuted you for whipping Ann  
Dorton, what do you mean  
by this?

Ans. I mean just what I say. He  
came with them & assisted on  
them getting the warrant & aided &  
took the warrant & gave it to the  
Shiriff. & I am told

11 Ques Did you ever examine France's  
title to any of his property?

Ans. No Sir.

12 Ques Then which would you prefer  
to believe as to what property  
he owns, his sworn statement  
or your suppositions?

Ans. - Objected to be because immaterial  
Duncan & Hyatt.  
I would prefer to believe his sworn statement.



13 Ques. When was you on the tract of land  
above spoken of, known as the  
Sullivan tract??

Ans. Last fall.

14 Ques. Do you not know that there is  
not a stick of timber on it  
that would make a second  
class saw-stock or a rail-cut?

Ans. I don't think there is many poplars  
that would make plank. There  
is some very good oak timber  
& some walnut. In the main  
body of timber, I don't think  
he has had cut off <sup>or of it</sup> over 50  
cords of fine wood.

15 Ques. Do you know the meets and bounds  
of said land?

Ans. I don't know the exact bounds  
but I know prettywell where  
they are.

16 Ques. Do you know what your father  
gave for this tract of land?

Ans. I have understood, by hearing  
him talk about it, that he  
gave \$750<sup>00</sup> for it.

The above question, and answer  
is objected to because immaterial

J & H for Compt.

17 Ques. Will you take this said tract off  
of said Francis's hands at \$700?

This Ques. is objected to because im-  
material.

Duncan & Hyatt  
for Compt.



Ans. I am not in the real estate business.

18 Ques. Do you think your self a reasonable judge of the value of real estate?

Ans. I am not an expert.

18 Ques. If France Miles only give \$550 for said tract of land, has cut the principal part of the timber off of the same, <sup>since he owned</sup> and would now sell the same for \$600, don't you begin to think your valuation of \$1000 rather high?

Ans. Not the least bits in the world, because various improvements <sup>have been</sup> made on it.

19 Ques. If said land was sold for cash in hand to the highest bidder, at the court, at public outcry, after 30 days notice, in your opinion what would it bring?

Ans. I don't know.

20 Ques. How can you then say that this land is worth \$1000?

Objected to be ~~more~~ irrelevant  
irrelevant and impertinent  
D & H for Puff

Ans. Because I think it is worth that to any one that wants a house.

21 Ques. When you say that the Pridmore tract contains 50 or 60 acres, upon what authority do you say so?



Ans. - Upo what my father has said about it.

22 Ques. If your father now swears that there are only 23 acres in said tract, what have you to say to it, do you ~~you~~ still insist that there is ~~are~~ 50 or 60 acres?

Ans. I haven't anything to say to it, but still insist that he said there was 50 or 60 acres in it.

23 Ques. Can you tell why it is that your mother is not here prosecuting her case for this divorce?

Ans. She is not able to be here & has some one to prosecute it for her.

24 Ques. Is not the somebody who is prosecuting for her more anxious about it than she?

Ans. No sir; the somebody prosecuting it for her has no interest in it whatever except the interest he feels for his mother's welfare.

25 Ques. Is it not a fact, and do you not know, that your mother would not be here if her health was ever so good?

Ans. It is a fact she would not be here because she has some <sup>one</sup> to look after it for her. If she had no one to prosecute it for her she would be here.

26 Ques. Don't it seem to you that if she was



1 very deeply interested in the matter  
2 that she would be here although  
3 she has got some one to attend  
4 to it for her?

Ans. I don't.

27 Ques. What is it worth to board ~~last house~~  
6 a man or a woman per month  
7 furnishing ~~beds~~ house, fires  
8 &c.

Ans. I never boarded in this county, I don't  
10 know sir.

28 Ques. What is the usual price paid in  
12 this community for that purpose?

Ans. I don't know sir.

29 Ques. When you speak of furnishing the  
16 principal part of the provisions  
17 at France Miles while you and  
18 your wife stayed there, how  
19 much did it cost you per  
20 week?

Ans. I never kept an account of it,  
21 but I suppose about \$10<sup>00</sup> per week.

30 Ques. How many ~~were~~ <sup>were</sup> in family at  
23 the time you furnished, <sup>about</sup> \$10 worth  
24 of provision per week?

Ans. Seven part of the time, except  
26 Ben was away a part of the time.

31 Ques. At the same time what did the  
29 amount of provision purchased  
30 by France per week amount  
31 to?

Ans. As I said before about \$2<sup>00</sup> per month.



32 Ques. During the above time did France  
not have a good cow and was  
not the proceeds of his farm and  
garden used by the family?

ans. There was a cow in the family, but  
it has never been considered by any of  
the family as his. The proceeds of the  
farm was mostly fed out to the  
his Mare & colts. There was a  
very good garden that year & I hired  
it made. I don't know whether  
there was any wheat brought there by  
him during the time I stayed there  
or not, but I believe <sup>that</sup> there was  
perhaps a little brought.

33 Ques. Do you actually believe that it took  
\$42 per month to board that family?

ans. - Yes sir, I do.

And further this deponent saith  
not.

H. M. Miles

Henry Pendleton (another witness &  
lawful sworn deposes  
to say)



Ben Miles another witness of lawful age being duly sworn ~~testifies & says~~:

1 What is your age?  
 ans I ~~was~~ 18 years old last December  
 2 quantia. Please state whether or not your  
 Mother ~~the~~ ~~left~~ in this case persuaded  
 you to go to Texas, when you took that  
 trip sometime ago, and also state whether  
 or not she secretly aided you to get ready  
 for the trip; state all about it,?

ans My mother did not persuade me to  
 go to Texas, nor did she secretly  
 aid me in getting ready for the  
 trip. She opposed me going & did not  
 want me to leave.

3 State whether or not your father Francis  
 Miles knew of your intention to go, how long  
 he knew it before you started, and what  
 he said and did about it.

ans. He knew of it some two or three  
 days before I left. He never said any  
 thing ~~particullly~~ about it to me. Mrs.  
 callie Martin was here from Texas & she  
 had heard that I was going & wanted  
 to sell me her return ticket. He,  
 my father, talked to her something  
 about it. I do not know what all  
 he said to her. When he came back  
 to the Anvil where I was he said  
 that he thought she asked too much  
 for it - that he thought I could get  
 a ticket cheaper. That is the way  
 I remember it.



4<sup>th</sup>. If you ever saw your father at a house  
of ill fame please state where it was  
where it was and all about it?

Ans- I can't state exactly where it was,  
but it was sometime after last  
Christmas, a year ago. It was up  
at "Dud Miles". I went up there  
in company with some boys one night  
& my father & George Holliday were there.  
All the boys went in but me as  
soon as we went up. I stayed out  
a little while & then went in. He was  
sitting there, but did not remain but  
a little while after I went in. <sup>They</sup>  
Some of them said he went down  
into the road & called for Dud. She  
& Ann then went out. Dud came  
back to the house & some said Ann  
went off with him.

So much of the above answer as  
comes in under they said, or  
as is hearsay is objected to.  
A.M. Goins,  
Atty for Deft,

1 Does your ~~mother~~ <sup>father</sup> ~~examine~~  
X. Examined

1 Does your mother never  
persuaded you to go to Texas,  
who did persuade you?

Ans. Didn't any one persuade me.

2 Does Who insisted on your going,



or furnished you money upon which to go?

Ans. No one insisted on me going. Morgan Miles, my brother, wrote me, if I would come out there I could make something. Morgan sent me all the money that was sent.

2 Ques. How long was it from the time that Morgan wrote you to come out there until you started?

Ans. I don't know. It wasn't very long - about two months I guess.

3 Ques. Who prepared your clothing to and got you in readiness for your trip?

Ans. Mollie & Mother.

4. Ques. Did you ever yourself talk with your father about going to Texas, or did you hear your Mother or Mollie talk to him about your going?

Ans. I never talked to him & I never heard Mollie or my mother talk to him about it.

5. Ques. You say that your father talked with Mrs. Callie Martin about buying her ticket for you to go to Texas and, who was present at that time?

Ans. I don't think there was any one.  
6 Ques. Do you not know that Mrs. Lache Martin did not ~~go to Texas~~ back from Texas until you left for Texas?



Ans. She was here when I left.

7 Ques. Do you not know that it was Mrs. Frances Martin who ~~had~~ come to see your father about selling said ticket - instead of Mrs. Callie Martin, and <sup>that</sup> this was after you had gone to Texas, and is not all you know about this matter hearsay?

Ans. They told me it was Callie Martin is all I know about which it was. This was not after I went to Texas & what I say is not hearsay.

8 Ques. Do you know of any one ever telling France Miles that you were going to Texas up to the time you started?

Ans. I don't know except what Mollie said.

9 Ques. Then you do not know of your own knowledge?

No Sir.

10 Ques. What is your feeling toward your father at this time?

Ans. I haven't any ill feelings toward him.

11 Ques. Do you speak to him and hold conversation with?

Ans. No Sir.

12 Ques. Where is your mother Quiah Miles at this time?



Ans. Down at Home, I suppose.

13. Ques. Can you tell why it she is not here prosecuting her suit?

Ans. I cannot.

14. Ques. Have you not reasons to believe that your mother does not want a divorce as bad as others want her to have it?

Ans. No Sir, I don't know that I have.

15. Ques. Have you talked with your mother on these proceedings?

Ans. No Sir.

16. Ques. You say your mother approved your going to Texas, what did she say to you on this matter, and then when you went did you not go regardless of the wishes and commands of your mother?

Ans. She just said she didn't want me to go. She didn't want me to go, but she didn't command me not to go, of course, I went against her wishes.

17. Ques. Does not France Miles own the property in which Duff and Jane Miles lives, and is not France Miles a relative of said parties, and is it not customary for a man to visit his relatives, or a landlord his tenant?



So much of the foregoing question  
as asks for the custom of owners of  
property, and Landlords is objected to

Duncan & Hyatt. Atty.

for Plaintiff.

Ans. I reckon he owns the property &  
I think there is no relation to the parties.  
I guess it is customary for one  
to visit his relatives & tenants.  
And further this deponent with  
not. Ben Miles

with claims  
1 Day - 50¢

Henry Poulton a witness of law  
ful age being first duly sworn deposes  
and says.

Are you acquainted with Frances Miles  
and Ann Dorton.

Ans. yes sir.

2 In the last two or three years. Have  
you done any hauling to the house  
of Ann Dorton at the request of Frances  
Miles, if so please state what you haul  
ed and wherefrom.

Ans. I have hauled some wood up  
there about a year ago. I hauled  
some 5 or 6 cords. I hauled it off  
of Mr. Miles' land. I also hauled  
14 shocks of cut up corn from  
off Mr. Miles land. I did this  
hauling at the request of Mr Miles.  
3 Please state whether or not in the last  
two years you have seen Frances Miles



1 about the house of Ann Dorton, if so  
2 how often, and was it day or night.

Ans. 3 I have seen him there several times.  
4 mostly of a day only once at  
5 night.

4 6 When was it you saw him there at  
7 night?

Ans 8 Sometime last Summer.

5 9 What time of night was it, and what  
10 was he doing there?

Ans 11 It was nearly 9 o'clock. He was  
12 sitting around the fire. I don't  
13 know whether he stayed all  
14 night or not. I left him  
15 there also Boyd Miles, who  
16 is said to be the uncle of Ann  
17 Dorton & also of France Miles.  
6 18 What was he doing there at the time  
19 you saw him there in the day time.

Ans. 20 He was just standing around  
21 on the porch. One time I called  
22 him out of the house on the  
23 porch.

7 24 Did you ever see France Miles and Ann  
25 Dorton together at any other place than  
26 at the house where she lives, if so where  
27 and how often.

Ans. 28 I have seen them going along  
29 the road together.

X Examined

1 30 Do you know whether or not Ann  
31 paid France for having said wood  
32 hauled or not?



Ans- No Sir.

2 Ques. Where did you haul said fodder  
france and who raised it?

Ans. I hauled it from a field still  
further up the creek from where  
she lives. It is said she  
raised the corn.

3 Ques Is not Ann Dorton a tenant of  
said <sup>Mr</sup> France and is she not  
a relative of his?

Ans- I think she lives in his property  
& I have heard that she is related  
to Mr. Miles.

Witness  
Claims  
3 Days - 50  
\$ 1.50  
And further this deponent saith  
not -

Henry <sup>his</sup> Pendleton  
Mark

The further taking of these depositions  
is adjourned till Wednesday Morning,  
Feb'y 7<sup>th</sup> 1894, at 9 O'clock A.M.  
at same place. This Feb'y 5<sup>th</sup> 1894

D. P. Sewell M.P.

Met pursuant to adjournment at  
same place & the same parties  
present. This Feb'y 7<sup>th</sup> 1894 - 9 O'clock A.M.

D. P. Sewell M.P.

W. B. Audis. another witness of law  
age being duly sworn deposes & says:-

1 Ques Are you acquainted with France Miles  
the Defendant in this case and with Ann Dorton.

Ans. I am acquainted with both.  
2 Please state whether or not the said France



(45)

in the last two years has been visiting at the said Acker's house. if so please state how often you have seen him there and what he was doing.

Ans I can't state how often I have seen him there, several times though I have never seen him in the house. Most the time I saw him there he was just stand around.

3. Please state whether or not you have seen them together at any time travelling up or down the road, or together anywhere else if so how often?

Ans I have seen them pass down the road together about twice.

4. State what you have heard the said Franca say about selling and disposing of his property, if anything.

Ans In November, I think, ~~the~~ morning after he had been arrested on one occasion, I was talking to Mr. Miles in the jail yard. He asked me to go down & see his wife & see what she was going to swear in the prosecution of that warrant. I went down there & told his wife what I had come for & that he had sent me to know what she was going to swear in the prosecution of that warrant. She said she wasn't going to swear anything unless she had to, & I went back & told Mr. Miles what she said. He went



on to say then that <sup>it</sup> was the second  
or third warrant that they had taken  
him with & had not prosecuted any of  
them & if they did not stop it  
that he would sell what he had  
if he had to make a sacrifice  
of it & get out of this racket, or  
leave this racket. He then went  
on to say something about her  
third. I can't remember what he  
said about her third.

Examined

1 Ques. Does not France Miles own the  
property in which said  
Ann Miles lives and is he  
not a kin to her?

Ans. I suppose he does own the property.  
I have also understood that he was  
related to her.

2 Ques. Did not said Ann have a garden  
and some corn on said <sup>in</sup> France's  
land, and when you saw  
said France and said Ann  
coming down the hollow  
were they not coming from  
that direction?

Ans. They were coming down from where  
they said she had some corn or a garden.

3 Ques. Did you ever hear France Miles  
say that he would dispose  
of his property so as to deprive  
his wife of her  $\frac{1}{3}$ , or dower in-  
terest?



Ans. I didn't understand what he said about her third. I was leaving him at the time & did understand what it was.

And further this deponent saith not.  
W B Andris

M. H Jamison, another witness of lawful age being duly sworn deposes & says:

question. What relation are you to Francis Miles?

Ans. I am his sister.

Please state anything you ever heard the said Francis say about selling and disposing of his property.

Ans. I heard him say, the morning after the election, that he was going to sell what he had & leave the country before he would live as he had been living.

What did he claim his property was worth.

Ans. He claimed he was worth \$2000<sup>00</sup>.  
X-Examination-

1 Ques. Have you ever lived in Francis Miles' family; and if so, how did he treat and provide for his family?

Ans. Yes, sir, I have lived in his family. It was some 12 years ago. He then provided well for his family & they would have some difficulties, but



1 they were not made public. His  
2 wife kept her family troubles to  
3 herself.

2 Ques. 4 How could you tell that there had  
5 been a difficulty between?

Ans. 6 I could tell from Mrs. Miles acts.  
7 She would look troubled & crying  
8 around.

9 And further this witness saith not.  
10 Remained.

11 Question. Please state what kind of woman  
12 Mrs. Dinah Miles is in her family, whether  
13 she kind pleasant or not.

Ans. 14 She is a kind & pleasant woman  
15 to her family & every body else.

16 And further this witness saith not.  
17 M. H. Jarrison

18 The further taking of these depo-  
19 sitions is adjourned until Friday  
20 morning <sup>Feb 9th 1894</sup> at 9 o'clock at same  
21 place. This Feb 7th 1894.

22 D. F. Sewell M.P.  
23 Met pursuant to adjournment at same  
24 place & same parties present this 9th  
25 A.M. Feb 9th 1894. D. F. Sewell M.P.

26 J. P. Graham another witness of lawful age  
27 being duly sworn deposes & says:-

28 Where do you reside?

Ans. 29 Near Jonesville

30 How near to where Sam Boston lives

Ans. 31 Between a quarter & half mile.

32 Are you acquainted with the people in



1 The neighborhood where she lives?

Ans. 2 I am.

3 What is her general reputation in her  
4 her neighborhood and among her neighbors,  
5 for chastity and virtue.

Ans. 6 Some say she screws a little  
7 with some certain fellows,  
8 Who are the certain fellows that it is  
9 said she does that with.

Ans. 10 I have heard it said she does  
11 it with every body -

12 Please state whether or not ~~Francis Miles~~  
13 is not a frequent visitor at the house  
14 of the said Anne.

Ans. 15 I have seen him there, but not a  
16 great many times. I can't say  
17 that he is a frequent visitor. I have  
18 heard it said that he was.

19 Please ~~state whether~~ you ever heard  
20 Francis Miles say about selling his  
21 land or if anything, & where it was?

Ans. 22 Some 4 or 5 months ago, my wife  
23 was talking about buying some  
24 land & she got to talking about that  
25 place & I asked Mr. Miles what he  
26 would take for that piece of land.  
27 He said he hardly knew, I will  
28 see about, I haven't thought about  
29 it. On this occasion nothing much  
30 more was said. At another time  
31 I was talking to him about it & he  
32 asked me what I could afford to  
33 give him for it. Then I went on



to tell him that there was no  
timber on it, that it would be a  
very hard thing to fence it unless  
he could get timber from above  
or another man's land. Then he said  
well, you can say what you think  
you can afford to give for it. I told  
him I couldn't afford to give over  
\$125<sup>00</sup> or \$150<sup>00</sup> for it. This piece  
of land is the Pridemore tract.

X Examination

1 Ques. Are you acquainted with the  
lands and premises of France  
Miles? If so, what do you regard  
as its fair cash value?

Ans. I am. I would estimate the  
House & lot here in town to be worth  
from \$1200<sup>00</sup> to \$1300<sup>00</sup>, the Sullivan  
tract worth about \$600<sup>00</sup>, the Pridemore  
tract worth about \$125<sup>00</sup> or \$150<sup>00</sup>, as to  
the Joe Garrett tract I would not more  
than pay the tax on the land for it, but  
the buildings &c would be worth about  
\$125<sup>00</sup>.

Ques 2. Does not Ann Dorton live in France  
Miles' property, and is not said  
Ann a relative of said France?

Ans. She lives in France's property & I  
suppose she is related to him.

And further this witness saith  
not.

J. P. G. Graham

Witnesses Chosen

2 Day 2. At  
53<sup>00</sup> - 1<sup>00</sup>



W.P. Sprinkle another witness of lawless  
age being duly sworn deposes & says -

Are you acquainted with France Miles  
and Ann Dorton, if so how long have you  
known each of them.

Ans. - I am acquainted with both & have known  
France about 20 years & Ann about  
5 years.

Please state if in the last two or three  
years you have hauled or had hauled,  
any wood to Ann Dorton's if so how  
much and at whose request and  
who paid you for it.

Ans. I reckon my team hauled some,  
I guess some 3 or 4 loads. Mr. Miles  
told me to tell my driver to haul two  
loads. Mr. Miles paid me for a part  
& he paid part to the driver as he  
(driver) said.

Ans. How near do you live to Ann Dorton's  
about  $\frac{3}{4}$  of a mile.

Are you acquainted with the people  
in the neighborhood where she lives  
yes.

Ans. What is the general reputation of  
the said Ann in that neighborhood  
and among her neighbors for virtue  
It is bad.

Ans. Please state whether or not in the last  
two or 3 years you have seen the said  
France at or about the house of the said  
Ann if so how frequently.



Ans. 1 Yes, I have seen him there very  
2 frequently.

3 Was it day time or night time when you  
4 saw him there.

Ans. 5 Both.

6 X Examined

1 Ques. 7 Do you know whether Ann Dorton paid  
8 France Miles for having said wood,  
9 above referred to by you, hauled or  
10 not?

Ans. 11 I don't know anything about that.

2 Ques. 12 Does not Ann Dorton live in France  
13 Miles' property, and is she not  
14 a relative of his?

Ans. 15 He claims that it is his. I  
16 have understood that they were  
17 related.

3 Ques. 18 Does not ~~the~~ France own other property  
19 in the neighborhood of Ann Dorton's,  
20 and have you not seen him  
21 at other houses in that neighbor-  
22 hood in the last two or three years.

Ans. 23 I understand he owns other property near  
24 there. I have only seen him at one  
25 other house, namely, Jane Miles'.

26 ~~And further this witness saith~~  
27 ~~as follows.~~

28 R~~X~~ Examined

29 Does not one Bud Miles live at the house  
30 with the said Jane Miles, and have not the  
31 said Jane & Bud been recently convicted  
32 in the County Court of Lee County for keep-  
ing a house of ill fame.



The foregoing question is excepted to because the records of the court is the best evidence of the fact of conviction if such was the fact.

A. M. Lewis,

Atty for Def.

ans

She does. They have been recently convicted for keeping a house of ill fame. And further this witness saith not —

Witness  
claims 2  
Days at 50  
7/100

W. S. Spindle

Alfred Williams another witness of lawful eye being duly sworn deposes & says:

Are you acquainted with France Miles and Jane Boston, and if so how long have you known them?

ans-

I am acquainted with both of them & have known France ever since I knew anything & have known them about 5 years.

Please state whether or not in the last two or three years, you have seen the said Miles about the house of the said Jane and if so how frequently.

ans

I have seen him there 30 or 40 times in the last year. Maybe more. What time, Day or night.

Day time.

How was the last time you saw him there.

ans

Yesterday —



What was doing.

Nothing as I saw, but standing on the porch.

I am requested by the Defendant to ask you if you don't expect to see him there this evening? Do you.

The above question is excepted to as impertinent.

A. M. Gaines,

Atty. for Deft

No, I don't.

What was the said Ann doing on yesterday, when you saw the said France there?

I don't know what she was doing.

I saw her outside of the house, standing there.

Was not France and Ann & Duff all in a racket there yesterday?

I don't know. There was some rock thrown, but I don't know who threw them.

Did you ever carry any provisions or any thing else from France to Ann, and if so what?

I have carried some sugar a time or two, very nearly a year ago.

I took some coffee once.

X Examined.

Do you know whether or not Ann paid France for said sugar?

No Sir.



2 Ques Does not Ann live in Frances  
property, and is she not a rel-  
ative of his?

Ans. She does live in his property & I have  
understood she is a relative of  
his.

Witness claims  
1 May 50<sup>2</sup> And further this deponent saith not.  
Alfred <sup>his</sup> Williams  
mark

5 J. V. & Richmond another witness of lawfully  
are being duly sworn deposes & says:  
Are you acquainted with the house and  
lot owned by Francis Miles in the Town of  
Jonesville, if so please state what would  
be the fairly rental value thereof per year

Ans. I am acquainted with said house &  
lot. I would consider it would rent  
for about \$75<sup>00</sup> per year.

Are you acquainted with the tract of land  
known as the Sullivan tract owned by said  
Miles if so what would be its fair rental value  
per year.

Ans. I am acquainted with said land & think  
from \$60<sup>00</sup> to  
about \$75<sup>00</sup> per year would be its fair  
rental value -

Are you acquainted with the Joe Gornett  
house and lot owned by said Miles and in  
which Ann Dorton lives, if so what would be  
its fair rental value per year

Ans. I know the house & lot & think \$2<sup>00</sup> per  
month would be a fair rental value.

Are you acquainted with tract of land



owned by said Miles at and near the corner  
of the road North of Louisa on which James  
Miles and Change Hamblee colored live if  
so what would be the fair rental value of that  
tract, admitting it to contain 23 acres.

Ans. I know the property & think \$70<sup>00</sup> per year  
would be a fair rental value for same.  
Please state whether or not in the last two  
or three years Frances Miles ran an account  
in your Store in Jourdsville, and if so did Ann  
Dorton get goods there and have them charged  
to him, and did he settle for the same.

Ans. I don't think she did.

Is it not a matter of general reputation  
in this neighborhood that the said Miles  
and said Ann Dorton have been living  
together in adultery for the last two  
or three years?

Ans. Yes, I have heard it said.

#### X Examination.

1 Ans. Mr. Richmond you say that Mr  
Miles town property would rent  
for \$75 per year, state if you  
know of any property in this  
town renting for \$75 per year.

Ans. Yes sir, the house & lot where Mr  
Murray lives near the saw mill  
and further this deponent saith no.

J. P. Richmond.



71  
Virginia Lee County, to wit.

I D.C. Sewell a notary Public for the  
County aforesaid State of Virginia, do  
hereby certify that the foregoing  
depositions of D.C. Fleener, Martha Miles  
Chas Denny, T.H. Fleener, Dnd Williams,  
Mollie A. Parsons, H.M. Miles, Ben Miles,  
Henry Pendleton, W.B. Andis, M.H. Jamison  
J.P. Graham, W.P. Sprinkle, Alfred Williams  
& S.D. F. Richmond were duly taken, sworn  
to & subscribed <sup>before</sup> me at the times, places  
& for the purpose mentioned in the caption  
& the several adjournments Given under  
my hand this 9<sup>th</sup> day of Feby 1894.

D.C. Sewell N.P.



Dimah miles 4<sup>00</sup>

2088.12

Depos -

France miles

Received from Notary  
Public before whom taken  
& filed this 27<sup>th</sup> July 1894  
A.B. Munnery

Notary fee - 18 1/2 hrs \$13 87  
(D.C. Sewell)

Witnesses:  
Cost for feeding: Witnesses

Dr. Edmund	1 Day	50
Martha Miles	1 "	50
Deid Williams	2 "	100
Mollie a Parson	2 "	100
Ben Miles	1 "	50
Henry Pendleton	3 "	150
J. P. Graham	2 "	100
W. P. Sprinse	2 "	100
Alfred Williams	1 "	50

Total \$7.50

I hereby certify that I have  
been engaged 18 1/2 hours  
in taking this deposition

D.C. Sewell  
H.P.



TO \_\_\_\_\_

DATE \_\_\_\_\_

TIME \_\_\_\_\_

## WHILE YOU WERE OUT

M \_\_\_\_\_

OF \_\_\_\_\_

PHONE \_\_\_\_\_

AREA CODE

NUMBER

EXTENSION

TELEPHONED

PLEASE CALL

CALLED TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

URGENT

RETURNED YOUR CALL

MESSAGE

*Return to Chancery Records  
Downtown, little critical drawer,  
1896-1900, labeled M -*

*Dinah Stanley vs*

OPERATOR

*France Stanley*



universal D1-1725



The deposition of Dulaney Haynes  
& C. C. Bell

taken at the office of C. T. Duncan  
in the town of Jonesville Va on the  
9<sup>th</sup> day of Feb'y 1894 pursuant to  
agreement to be read as evidence  
in behalf of the Defendant in a  
certain suit in Chancery now  
pending the Circuit Court of Lee  
County Va in which Dinah Miles  
by &c is Plaintiff & France Miles  
is Defendant.

Present A. M. Goins atty for Defendant  
& Duncan & Hyatt atty. for Plaintiff.

Dulaney Haynes a witness of lawful  
age being duly sworn deposes & says:

1 Ques What is your age, Residence and  
Occupation?

I am 65 years old & live about 1 mile  
east of Jonesville. I am a farmer.

2 Ques. Are you acquainted with the lands  
and premises owned by France Miles;  
if so, what is a fair cash valuation  
of the same?

Ans. I am very well acquainted with them.  
I have lived on the Tract known as  
the Sullivan Tract for the last 11 years.  
I regard the said Sullivan Tract to be worth  
about \$6<sup>00</sup> per acre, the house & lot in  
Jonesville worth about \$1150<sup>00</sup> or \$1200<sup>00</sup>, the



3 Ques. Joe Garrett's price worth about \$200<sup>00</sup>,  
the Bridenore track worth about \$3<sup>00</sup> per acre.  
State- Mr. Haynes, if you know, how  
much rent corn and wheat France  
Miles has received off of his lands  
per year and what he has done with the  
same for the <sup>last</sup> three years.

Ans. Last year, he got 78 or 79 bushels of  
corn, 25 bushels of wheat & about 68  
dozen of oats. Year before last he got  
something like a hundred bushels of  
corn, 10 bushels of wheat & 47 dozen  
of oats. Three years ago I don't exactly  
remember what he got, but it was  
about as much as the last two  
years. It was loaded into the  
wagon & went out of my sight  
in the direction of Mr Miles'  
house. I can't say where it went  
but I suppose it went to his house.

4 Ques State- if you know how much  
wood, ~~the~~ rail-timber, saw-logs,  
tc, has been cut and removed  
from the track of land belonging  
to France Miles, known as the Sub-  
livan tract, since said France  
owned the same.

Ans. I don't remember how much wood has  
been cut, but I have cut about 70 cords  
of wood, my son has cut about 11 cords &  
Joe Williams this boy's cut some for Dr.  
Miles, I don't know how much rail timber



has been removed, but a right sweat.  
No saw stocks have been taken off as  
I know of.

5 Ques.

State if you know how many  
good rail trees or ~~any~~ lumber  
trees there are on said tract  
of land, also what kind of  
walnut timber there are on  
said land if any?

Ans

I couldn't tell how many rail trees  
there are, but about half the timber  
I suppose, and there are some few  
lumber trees. There is some small  
walnut trees - some 4 or 5 of the  
largest would measure about 16 inches.  
There is a good many walnut trees, but  
they are small.

X Examined

How many acres of timbered land is there  
on said tract of land.

Ans.

About 12 acres -

How many acres of cleared land on  
said farm.

Ans.

I don't know.

Was not the wood you speak of cut from  
a piece of land you cleared?

Ans.

No Sir.

What would be a fair rental value of  
said tract of land by the year.

Ans.

About \$40<sup>00</sup> or 45 -

What was corn & wheat worth by the  
bushel for last year & what was oats



1 worth by the dozen—

Ans— 2 Corn asked at 35¢ per bushels wheat  
11 from 50 to 60 cents & oats about 16 $\frac{2}{3}$  per  
4 dozen.

Witness again 1 Day 50¢ And further this witness saith  
10 not.

Dulany Haynes

6 C. E. Bell, another witness of lawful  
8 age, being first duly sworn,  
9 deposes and says:—

1 Ques. 11 State your age, residence and  
12 occupation and whether or not  
13 you are acquainted with France  
14 Miles, and Dinah Miles

Ans. 15 I am 63 years old, live in the sub-  
16 urbs of Jonesville & farm some & doctor  
17 horses. I have known France nearly  
18 all his live & have known Dinah since the war.

2 Ques 19 If you have had a conversation with  
20 Dinah Miles in the last 12 mos.,  
21 state what she said ~~to~~ you  
22 about France Miles providing for  
23 his family, if she said any thing  
24 on that subject.

Ans. 25 I went down there about the election time  
26 in November & we got to talking about  
27 whether she was going to attend the  
28 trial of France before the justice. She  
29 said she ~~would~~ not go if she could  
30 avoid it, but if she had to go she  
31 would. & would tell all she knew  
32 about it. I said then that I thought



1 she & France always got along all right.  
2 She said France used to be as good a  
3 man as any one to provide for his  
4 family. About this time Mollie Parsons  
5 come in & said Mamma will go & she  
6 will tell all about it.

7 X Examined

8 You say you have known a Sarah Miles for  
9 ever since she was. What kind of woman is  
10 she in her family. Kind pleasant and agree-  
11 able or otherwise.

ans 12 yes, she is a good woman so far  
13 as I know anything about her.

14 Did you not go to see her on the occasion  
15 of which you speak at the request of France  
16 and to try to get her not to appear against him  
17 before the Justice?

ans 18 yes sir.

19 And further this witness saith not  
20 C. C. Bell

21 Virginia Lee County, Turk.

22 J. D. S. Sewell notary public for the  
23 State aforesaid & County of Lee, do certify  
24 that the foregoing depositions of Dulaney  
25 Haynes & C. C. Bell were duly taken,  
26 sworn to & subscribed before me at  
27 the time, place & for the purpose  
28 mentioned in the caption. Given  
29 under my hand this 9<sup>th</sup> day of  
30 Feby 1894.

31 J. D. S. Sewell N.P.  
32



France Miles

add<sup>y</sup> depos.

Dinah Milesby &c

Rescued from Notary  
Public before whom taken  
& filed This 27<sup>th</sup> July  
1894 A.B. Munsey

cost. Witness

Douglas Hanco 50¢

Notary fee 2 hrs at

75 150

D.C. Swell  
R P



KNOW ALL MEN BY THESE PRESENTS, That we

are held and firmly bound unto the Commonwealth of Virginia, in the sum of *Four*  
*Thousand* dollars, to the payment whereof, well and truly  
to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our  
and each of our heirs, executors and administrators, jointly and severally, firmly by these  
presents, hereby waiving the benefit of our homestead exemptions as to this obligation,  
and any claim, right, or privilege to discharge any liability arising under this bond, or by  
virtue of said office or trust, in any currency, funds, counter claims or offsets other than  
legal-tender currency of United States. Sealed with our seals, and dated *9<sup>th</sup>* day  
of *November*, one thousand eight hundred and *Ninety three*

The Condition of The Above Obligation is Such, That whereas the above bound  
*Dinah Miles by H. M. Miles*  
on *her* bill in Chancery against *France Miles*

addressed to the Judge of the circuit court of the county of Lee, has obtained from the said  
Judge an injunction to injoin and restrain *the defendant France*  
*Miles from selling or in any way encum-*  
*bering the property in the bill specified*

until the future order of the said court; and whereas it is provided, by the order of the said  
Judge awarding the said injunction, that the plaintiff shall not have the benefit thereof until

*She*, or some one for *her*, shall enter into a  
bond, with good security, in the clerk's of of the said court, payable to the Commonwealth  
of Virginia, in the penalty of *Four Thousand*

Dollars, and conditioned to pay all such costs as may be awarded against the said plaintiff,  
and all such damages as shall be incurred in case the said injunction be dissolved. Now,  
therefore, if the said *Dinah Miles* shall pay all such costs as  
may be awarded against *her*, and all such damages as shall be incurred in  
case the said injunction be dissolved, then this obligation to be void, or else to remain in  
full force and virtue.

Executed in the presence of

*Dinah Miles*  
*H. M. Miles*

(SEAL.)

*Henry J. Morgan*

(SEAL.)

*D. C. Sewell*

(SEAL.)

In the Clerk's Office of the Circuit Court of the County of Lee

This day personally appeared before me *A. B. Munsey*, clerk of the circuit court of  
the county of Lee *at my office at the court house*  
and made oath that *Their* estate, after the payment of all *Their* just debts, and  
those for which *he* *they* are bound as security for others and expect to pay, *in*  
worth the sum of *four thousand* dollars,  
over and above exemptions allowed by law.

Given under my hand this *9<sup>th</sup>* day of *Nov* 18*93*.

Teste:

*A. B. Munsey*

Clerk.



Drish Miles by ~~sc~~

vs  $\frac{1}{2}$  Bond.

France Miles

Filed Nov the 9th 1893

ARB Munse  
clerk

160  
60  
20  
240  
120  
440  
440  
19

94  
48  
46



To France Miles:

You will please take notice that on Friday, the 2nd day of February, 1894, I will proceed to take the depositions of Mollie Parsons, Ben Miles, Martha Miles, Alonzo Couk, Charles Denny, and others, which depositions when taken are to be used as evidence in my behalf in a certain chancery suit now pending in the Circuit Court of Lee County, Va., in which I am plaintiff, and you are defendant. This 29th day of January, 1894. These depositions will be taken at the office of C. T. Duncan.

Dinah Miles, who sues by her son &c.

By Counsel,



Dinah Miles who sues &c.

vs. Notice.

France Miles.

Duncan & Hyatt, p.d.

Executed Jan. 29. 1894  
by delivering a copy  
of the within notice to  
France Miles

H. E. Flanagan.

J. F. 6



To France Miles:

You will please take notice that on Thursday the 1st day of February 1894, at the Office of C.T. Duncan in Jonesville, Va., I will proceed to take the depositions of James Miles, Martha Miles, <sup>Parsons</sup> ~~Mollie Miles~~, Alonzo Cook, Charles Denny and others, which depositions, when taken, are to be read as evidence in my behalf in a certain Chancery suit now pending in the Circuit Court of Lee County, in which <sup>suit</sup> I am plaintiff and you <sup>are</sup> defendant. And if from <sup>said</sup> ~~the~~ depositions are not completed on that day the taking thereof will be continued from day to day and from time to time until they are completed. This the 25th day of January 1894

Dinah Miles,

By Counsel.



To France Miles:

You will please take notice that on Thursday the 1st day of February 1894, at the Office of C.T. Duncan in Jonesville, Va., I will proceed to take the depositions of James Miles, Martha Miles, Lollie Parsons, Alonzo Couk, Charles Denny and others, which depositions, when taken, are to be read as evidence in my behalf in a certain Chancery suit now pending in the Circuit Court of Lee County, in which suit I am plaintiff and you are defendant. And if from any cause said depositions are not completed on that day the taking thereof will be continued from day to day and from ~~at~~ time to time until they are completed. This 25th day of January 1894.

Dinah Miles,

By Counsel.



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Dinalo Miles

vs  $\frac{1}{2}$  Notice;  
France Miles

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The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

*James Miles, Dnd Williams, Henry X  
Pendleton, David X Miles, Ben Miles & Lint Stewart  
W. P. Sprinkle*  
at the office of C. P. Duncan in Jonisville on Friday the 2<sup>nd</sup>  
to appear before the Judge of our Circuit Court of Lee County, at the court-house thereof on the  
day of *February* 1894, to testify and the truth to say in behalf of *the Dinah  
Miles*

in a certain matter of controversy in our said Court,  
before the said Judge depending and undetermined between

*Dinah Miles by vs* Plaintiff  
and

*Francis Miles* Defendant :

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,  
the *30<sup>th</sup>* day of *January* 1894, and in the 11<sup>8<sup>th</sup></sup> year of  
the Commonwealth.

*AB Munsey* Clerk.



Dirah Miles by +c

vs }

SUBPOENA  
FOR  
WITNESS.

France Miles

Circuit Court, the 2<sup>nd</sup> day of

February 1894.

Executed by summons all  
of the within witness

C. C. Flannery.

J. L. C.



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

*Alfred Williams S.V. & Richmond*

to appear before the Judge of our *D. L. Sewell N. P. for Lee* *office of C. P. Duncan*  
~~Circuit Court of Lee County~~ *at the house thereof* on the *9th*  
*day of February* 1894, to testify and the truth to say in behalf of the *Dinah*  
*Miles*

in a certain matter of controversy in our said Court,  
before the said Judge depending and undetermined between

*Dinah Miles* Plaintiff  
and

*Frances Miles* Defendant :

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,  
the *9th* day of *February* 1894, and in the 11 *8th* year of  
the Commonwealth.

*A. B. Munsey* Clerk.



Dinah Miles

VS { SUBPENA  
FOR  
WITNESS.

France Miles

Circuit Court, the 9th day of

Feb 1894.

Executed by Sums  
the within witnesses  
Feb 9th 1894  
W. P. Sprinkle  
C. L. C.

18  
20  
—  
3.60  
1.00  
—  
4.60



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

*Mollie Parsons, W. B. Andis, M. H. Jamison,  
J. H. P. Graham, Lou Louk, Charles Denny, D. C. Pleanor,  
Thomas Pleanor, Ebert Garrett, Ambrose Eagle, Martha Miles*  
at the office of *C. F. Duncan* in *Jonesville* on ~~the~~ *Friday* the *2nd*  
to appear before the Judge of our Circuit Court of Lee County, at the court-house thereof on the  
day of *February* 1894, to testify and the truth to say in behalf of ~~the~~ *Diannah*  
*Miles*

\_\_\_\_\_ in a certain matter of controversy in our said Court,  
before the said Judge depending and undetermined between \_\_\_\_\_

*Denah Miles by &c*

Plaintiff

and

*France Miles*

Defendant :

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,  
the *30th* day of *January* 1894, and in the *118th* year of  
the Commonwealth.

*A. B. Munsey*

Clerk.



Dinah Miles by or

VS

SUBPENA  
FOR  
WITNESS.

France Miles

Circuit Court, the 2<sup>nd</sup> day of

February 1894.

Exempted by summons  
of the within witnesses  
except Ambros England  
Lon. bank

C. C. Flanagan. S. H. C.



Sargens & Miles

Hamblin, et al

Miscellaneous Papers

f